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**TRIPURA LEGISLATIVE ASSEMBLY**

**SECRETARIAT**

NEW CAPITAL COMPLEX

AGARTALA, TRIPURA, PIN – 799 010

[Fax : (0381) 241 4095/9654]

*No.F.7(12- 22)-LA/2018.* *Dated, Agartala the 24th November, 2018.*

## N O T I F I C A T I O N

" As required under Rule 117 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly, **" The Criminal Law (Tripura Ameadment) Bill, 2018 (The Tripura Bill No. 16 of 2018) "** as introduced in the Assembly on the **23rd November, 2018** is published in the Tripura Gazette."

26.11.18

( S. Sikdar )
Secretary
Tripura Legislative Assembly

**The Tripura Bill No. 16 of 2018**

# THE CRIMINAL LAW (TRIPURA AMENDMENT) BILL, 2018

## A

## BILL

to amend the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973 (Central Act No.2 of 1974) in its application to the State of Tripura.

WHEREAS, it is expedient to amend the Indian Penal Code, 1860 (Central Act No. 45 of 1860) and the Code of Criminal Procedure, 1973 (Central Act No.2 of 1974), in its application to the State of Tripura, for the purposes hereafter appear;

BE it enacted by the Tripura Legislative Assembly in the sixty-ninth year of the Republic of India, as follows:

**1. Short title and commencement:**

(i) This may be called "The Criminal Law (Tripura Amendment) Act, 2018";

(ii) It shall come into force on and from the date of its publication on the Tripura Gazette.

**2. Insertion of new Sections 382A, 382B, 382C, 382D, 382E and 382F:**

After the Section 382 of the Indian Penal Code, the following new sections will be inserted:-

**"382A. Snatching:** Whoever commits theft stealthily from a person or through assault or by using criminal force and thereby causes hurt or endangers the life of that person is said to commit the offence of 'Snatching'.

**382B.** Whoever commits 'Snatching' shall be punished with imprisonment for a term which shall not be less than seven years but may extend to a term of ten years or with fine or with both.

**382C. Vehicle lifting:** Whoever commits theft of a 'vehicle' either from open or close arena, is said to commit the offence of 'vehicle lifting'.

**Note:** - The term 'vehicle' shall have the same meaning as defined in sub-section 28 of Section 2 of Motor Vehicles Act, 1988;

**382D.** Whoever commits the offence of 'vehicle lifting' shall be punished with imprisonment for a term which shall not be less than seven years but may extend to a term of ten years or with fine or with both."

**382E. Cattle lifting:** Whoever commits theft of a 'Cattle' either from open or close arena, is said to commit the offence of 'Cattle lifting'.

**Note: -** For the purpose of this section, the term 'Cattle' means a cow and a calf, whether male or female, bull, bullock, buffalo – male or female or calf of she-buffalo, whether male or female and an ox or oxen.

**382F.** Whoever commits the offence of 'Cattle lifting' shall be punished with imprisonment for a term which shall not be less than seven years but may extend to a term of ten years or with fine or with both."

3. In The FIRST SCHEDULE (CLASSIFICATION OF OFFENCES) of the Code of Criminal Procedure, 1973 (Central Act No.2 of 1974), in the Table under the Heading I.–OFFENCES UNDER THE INDIAN PENAL CODE, below the sub-heading CHAPTER XVII.–(OFFENCES AGAINST PROPERTY), the following new entries shall be inserted:-

| Section | Offence | Punishment | Cognizable or non-cognizable | Bailable or Non-bailable | By what Court triable |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 382 B | Snatching | Imprisonment for 07 to 10 years and fine. | Cognizable | Non-bailable | Court of Session |
| 382 D | Vehicle lifting | Imprisonment for 07 to 10 years and fine. | Cognizable | Non-bailable | Court of Session |
| 382F | Cattle lifting | Imprisonment for 07 to 10 years and fine. | Cognizable | Non-bailable | Court of Session |

## STATEMENT OF OBJECTS AND REASONS

The Indian Penal Code (Tripura Amendment) Bill, 2018 (The Tripura Bill No. 16 of 2018) provides for amending the Indian Penal Code 1860, in its application to the State of Tripura, by insertion of two new Sections after the existing Section 382 of IPC, for making the law more stringent so far it relates to the offences of theft and snatching.

[2] It has been observed that due to the incidents of snatching of valuables, lifting of vehicles and lifting of cattle, the people in the State are getting affected. Hence, the State Government has decided to make the law more stringent and effective in nature, so that these offences can be fully curbed in the State.

[3] It is, therefore, proposed to introduce the State Amendment Bill, to exclusively deal with these offences of snatching, vehicle lifting and Cattle lifting to prescribe more deterrent punishments for these offences.

The Bill seeks to achieve the above objectives.

Chief Minister,
Tripura

## TECHNICAL REPORT

The subject-matter of the Indian Penal Code (Tripura Amendment) Bill, 2018 (The Tripura Bill No. 16 of 2018) is relatable to Entry 1 and 2 of List –III (Concurrent-List) of the seventh schedule to the Constitution of India and as such the State Legislature is competent to make a law on this subject. Though the provisions of the Bill are not repugnant to any provision of the Constitution of India but are repugnant to the provisions of I.P.C., an existing Central Law. So the Bill, after it is passed by the State legislature, shall have to be reserved by the Governor for consideration of the Hon'ble President for his kind assent, under Article 254 (2) of the constitution. It is not a "Money Bill" within the meaning of Article 199 of the Constitution of India, Therefore, prior recommendation of the Governor, under article 207 (1) of the Constitution of India is not required for introduction of the Bill before the State Legislature.

## FINANCIAL MEMORANDUM

The Criminal Law (Tripura Amendment) Bill, 2018 (The Tripura Bill No.16 of 2018), if enacted and brought into force, has no additional expenditure from the Consolidated Fund of the State.